

CHAPTER 295**STANDARDS (INSPECTION AND USE OF STANDARDS MARK
OR QUALITY ASSURANCE MARK) REGULATIONS****ARRANGEMENT OF REGULATIONS**

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SCHEDULE
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CHAPTER 295

96 of 1997.
Act 4 of 1992.

**STANDARDS (INSPECTION USE OF STANDARDS MARK OR
QUALITY ASSURANCE MARK) REGULATIONS**

(Section 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19)

[27th September, 1997]

- Short title. 1. These Regulations may be cited as the
- STANDARDS (INSPECTION AND USE OF STANDARDS
MARK OR QUALITY ASSURANCE MARK)
REGULATIONS.**
- Interpretation. 2. (1) In these Regulations, unless the context otherwise requires:-
- CAP. 295. “Act” means the Standards Act;
- “Applicant” means a person or organization which makes an application to the Belize Bureau of Standards for a licence to use the Belize Standard Mark or the Belize Quality Assurance Mark;
- “Bureau” means the Belize Bureau of Standards established under section 3 of the Act;
- “Caricom Standard” or “Caribbean Community Standard” means a standard recommended by the Caribbean Common Market Standards Council or a similarly authorized body and approved by the Caribbean Common Market Council of Ministers or a similar body of Ministers;
- “Caricom Standards Mark” means the mark or design approved to be licensed for use on goods or in connection with processes, practices or services that conform to the requirements of a Caribbean Community Standard and so

declared by the Minister by Order published in the *Gazette*.

“Conformity Certification Mark” means a mark or design licensed by the Bureau for use of goods or in connection with services, processes or practices that conform to a standard published by an international organization or by a standards organization other than the Bureau;

“designated commodity” means any commodity for which a compulsory standard specification is notified under the Act;

“licence” means a licence granted under the Act and in the manner specified in these Regulations to use the Belize Standard Mark or Belize Quality Assurance Mark, in relation to an article or process which conforms to a particular Belizean Standard, or in relation to a plant which uses a system of Quality Assurance approved by the Bureau;

“Quality Assurance” means all those planned and systematic actions necessary to provide adequate confidence that a product or service will satisfy given requirements for quality;

“Quality Assurance Mark” or “Plant Certification Mark” means a mark or design licensed by the Bureau for use in connection with goods that are manufactured or services supplied in accordance with an approved System of Quality Assurance;

“Standard Mark” means the mark prescribed by the Minister under section 10 of the Act, which shall be used in relation to goods, services, processes and practices to distinguish those which conform to a Belizean Standard from those which do not.

(2) A word or a phrase not specifically defined in these Regulations but defined in the Act shall have the meaning assigned to it in the Act.

3. (1) It shall be lawful for an Inspector to take photographs of an inspection generally.

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establishment or of any commodity to which the Act applies.

(2) An inspector may seize and detain a consignment of a designated commodity if he reasonably believes that the Act or any Regulations made thereunder are being contravened. Upon such seizure and detention, the Inspector-

Schedule.
Form I.

- (a) shall attach to the commodity numbered detention tags in the form specified in Form I of the Schedule hereto;
- (b) may take samples of the commodity for analysis or testing.

(3) Within twenty four hours of the seizure and detention of the commodity, an Inspector shall send a notice by post to the owner or person who was previously in possession of the commodity, notifying him of the seizure and detention of the commodity. The notice shall be in the form specified in Form II of the Schedule hereto.

Schedule.
Form II.

(4) If on the basis of an analysis or test report on the samples the Inspector is satisfied that the commodity referred to in subregulation (2) conforms to the requirements of a compulsory standard, he shall release the commodity, and for this purpose the Inspector shall deliver or post to the owner or person in possession thereof a notice of release in the form specified in Form III to the Schedule hereto.

Schedule.
Form III.

(5) If on the basis of an analysis or test it is found that the sample of the commodity does not conform to the requirements of the compulsory standard, the Inspector shall inform the Bureau accordingly.

(6) If the Bureau is satisfied that a commodity does not conform to the requirements of the compulsory standard, the Bureau may recommend to the Minister that a commodity may be:-

- (a) forfeited;
- (b) destroyed at the cost of the owner; or
- (c) returned to the owner for reprocessing.

(7) The recommendations specified in sub-regulation (6) (c) may only be made if the Bureau is satisfied that the commodity is capable of being made to conform to the compulsory standard under the supervision of a person designated by the Bureau.

4. (1) When taking a sample for analysis or testing, an Inspector shall, after processing a suitable quantity of the commodity, give written notice to the owner thereof, or the persons from whom the sample was obtained, of his intention to have the commodity analysed or tested. Sampling.

(2) If the owner or the person from whom the sample is obtained makes a request to retain part of the sample, the Inspector shall divide the commodity into 3 parts, and shall:-

- (a) cause each of the 3 parts to be marked and sealed in a manner most convenient to him;
- (b) deliver one of the parts to the owner or person from whom the sample was obtained;
- (c) retain one of the parts for subsequent comparison or verification; and
- (d) submit the third part to the laboratory or test house for analysis or testing.

(3) If no request is made for the retention of part of a sample, the Inspector shall:-

- (a) divide the sample into two parts;
- (b) cause each of the parts to be marked and sealed in a manner most convenient to him;
- (c) retain one of the parts for subsequent comparison or verification; and
- (d) submit the other part to the laboratory or test house for analysis or testing.

(4) Notwithstanding anything contained in this Regulation, where in the opinion of the Inspector, a division of the procured quantity of the sample may interfere with any analysis or testing, the Inspector may, subject to sub-regulation (5) below, seal and submit the entire sample for analysis or testing.

(5) Where, at the time a sample is taken, the owner or person from whom the sample is taken objects to the division of the sample and supplies at his own expense a sufficient quantity of the sample, the Inspector shall follow the procedure described in sub-regulation (4) above when submitting the sample for analysis or testing.

(6) On completion of every analysis or test, an authorized person at the laboratory or test house shall issue a certificate in the form specified in Form IV of the Schedule hereto, stating that the analysis or test has been carried out in respect of the commodity or sample submitted by the Inspector.

Schedule.
Form IV.

Inspection of
commodities with
compulsory or
Caricom
Standards.

5. (1) Where a compulsory standard is declared for any commodity, or if there is not such a standard, where a Caribbean Community Standard has been recognized in respect of that commodity, that commodity shall, if imported, be examined by an Inspector on entry before being delivered out of the charge of the Customs Department.

(2) Where a sample of an imported commodity is taken, the

Inspector shall as soon as may be practicable thereafter complete and serve, where necessary, the notices referred to in Regulation 3 (2) (b) and (3), and submit the sample to a laboratory or test house for testing or analysis.

(3) Where on the basis of an analysis or test it is determined that samples of an imported commodity are not in conformity with the relevant compulsory standard, or a Caribbean Community Standard, as the case may be, the Inspector shall send a report of the analysis or test to the Comptroller of Customs and to the importer and subject to sub-regulation (4) below, that commodity shall not be admitted into Belize.

(4) Where in the opinion of the Inspector, an imported commodity is capable of being suitably modified so as to effect conformity with the compulsory standard, or the Caricom Standard, as the case may be, the commodity may be admitted for the modification to be carried out under the supervision and the satisfaction of the Bureau.

(5) The Minister may waive the requirements of sampling and analysis of any shipment of designated imported commodity if:

- (a) a sample of a similar commodity from the same country of origin is analyzed or tested by a designated laboratory or test house and is found to be in conformity with the Compulsory Standard or the Caricom Standard, as the case may be;
- (b) a sample of the commodity taken from a shipment is analyzed or tested in the country of origin by a designated laboratory or test house and is found to be in conformity with the Compulsory Standard or the Caricom Standard, as the case may be, and a certificate of the analysis or test submitted is acceptable to the Director of the Bureau; or

- (c) the commodity is marked with a standards mark which the Minister recognizes by notice published in the *Gazette*.

Export of commodities with compulsory or Caricom Standards.

6. (1) No commodity manufactured in Belize may be exported unless the export consignment is accompanied by a certificate of export-worthiness issued by the Bureau stating that the commodity conforms to the relevant standard. This sub-regulation shall apply to all commodities for which a compulsory standard intended to ensure the quality of exported goods is declared, or for which a Caricom Standard exists, as the case may be.

(2) Inspection of the designated export commodity for the purposes of this Regulation shall be carried out by an Inspector at the premises of the manufacturer or exporter, or at the premises where the commodity is stored pending export and at the time when the consignment is ready for export.

Procedure when exporting commodities with compulsory or Caricom Standards.

7. (1) Subject to sub-regulation (4) below, a person intending to export a designated commodity shall by notice inform the Bureau and shall submit along with that notice, a declaration of specification stipulated in the export contract giving details of all technical characteristics to the Bureau, so as to enable it to carry out an inspection of the designated export.

(2) A notice under this Regulation must be in Form V as set out in the Schedule hereto and shall be accompanied by such fee as the Minister determines.

(3) On receipt of the notice and declaration referred to in sub-regulation (1) above, the Bureau shall cause an inspection of the consignment to be carried out in accordance with these Regulations.

(4) The notice and declaration referred to in this Regulation should reach the Bureau not less than ten (10) days before the consignment is ready for export.

(5) On completion of inspection the packages in the consignment shall be sealed in a manner so as to ensure that the sealed goods cannot be tampered with, but in cases of rejection, if the exporter so desires, he may seal the consignment himself.

(6) If the Bureau is satisfied that the consignment of the designated export commodity conforms to the requirement of the relevant standard, it shall issue three copies of the certificate of export-worthiness to the exporter in the form set out in Form VI of the Schedule hereto.

Schedule.
Form VI.

(7) If the Bureau refuses to issue a certificate of export worthiness, it shall communicate that fact to the prospective exporter in the form set out in Form VII to the Schedule hereto.

Schedule.
Form VII.

8. If an export consignment is affixed with a standard mark recognized by the Minister, no further inspection of the consignment prior to export shall be required or undertaken for the purposes of these Regulations, and the consignment may be exported without a certificate of export-worthiness:

Effect of
standard mark
recognized by
Minister on
export.

Provided that the provisions of this Regulation shall not apply to exports of samples of a designated commodity if the value thereof does not exceed one hundred Belize dollars.

9. (1) The Minister may direct that any labelling used in connection with any product, food, service, process, or practice, must conform to the standard for labelling published by the Bureau.

Labelling,
advertising,
and packaging.

(2) When a compulsory standard is declared, or if no such standard is declared, when a Caricom Standard exists for the practice of labelling, the Minister may require that any label found in violation of that standard shall be withdrawn from use and amended as the Minister directs.

(3) All advertising shall conform to the standards for advertising produced and published by the Bureau.

(4) The packaging used for products shall conform to the standards issued or recognized by the Bureau.

Notification
and
publication.

10. (1) When the Bureau has-

- (a) established a standard, or
- (b) recognized a standard, or
- (c) cancelled an established standard, it shall cause notification of that fact to be published in the Gazette.

(2) Without prejudice to sub-regulation (1) above, the Bureau may publish, in any other manner approved by the Minister, every standard that is established, recognized, amended or cancelled, and specify in such publication the following particulars:-

- (a) the number and title of the standard that is established, recognized or cancelled,
- (b) the number and title of any standard that is superceded by a new standard;
- (c) in the case of a standard that is recognized by the Bureau, the name of the organization which prepared and established the standard; and
- (d) any other particulars the Bureau may wish to include in such publication.

(3) Unless otherwise specified, all standards and any amendments thereto shall take effect from the date of publication of the notice in the *Gazette* in accordance with sub-regulation (1) or (2) above.

11. (1) The Bureau shall cause the design and description of the standard mark and the quality assurance mark to be published in a manner approved by the Minister. Publication of standard mark.
- (2) No mark that resembles or is identical with any mark published by the Bureau, shall be registered as a trade mark under any other enactment.
- (3) When a mark is published in respect of any article or process, no person other than a licensee, may make any public claim that his product conforms to a standard or that it is entitled to bear the mark.
12. (1) All standards published by the Bureau may be:- Purchase and examination of standard.
- (a) purchased at the Office of the Bureau;
- (b) examined at the Public Library.
13. (1) The following are eligible to apply for a licence to use the standard mark or the quality assurance mark:- Application for licences.
- (a) a manufacturer whose products consistently meet the requirement of a Belizean Standard or a Caricom Standard;
- (b) a provider of goods and services that are operated in accordance with established guidelines and under an adequate quality assurance scheme;
- (c) a distributor/dealer or other person selling products from manufacturers that are licensed to use the standard mark or the quality assurance mark; and
- (d) an importer of goods produced by a manufacturer who is licensed to use the standard mark.

- (2) Every application for a licence to use the standard mark shall be:-
- Schedule.
Form VIII.
- (a) in Form VIII as set out in the Schedule hereto and shall be completed and signed by the applicant or a person authorized by him;
- (b) accompanied by a statement giving details of any scheme of inspection and testing maintained by the applicant for controlling the quality of the article or process in respect of which the licence is sought;
- (c) accompanied by proof that the product conforms to the Belizean Standard;
- (d) accompanied by the prescribed application fee.
- (3) The Bureau shall cause written acknowledgement to be given in respect of every application received by it.
- Determination of applications.
14. (1) When determining an application the Bureau may:-
- (a) require the applicant to produce evidence that the article or process in respect of which the licence is sought conforms to the appropriate national standard;
- (b) require the applicant to produce evidence of a scheme of quality control that is designed to ensure that the product in relation to which the mark has been applied for conforms to the relevant standard;

- (c) require the applicant to provide reasonable facilities that would enable an Inspector to verify evidence supplied in support of an application;
- (d) request any supplementary documentary evidence in support of any statement in the application;
- (e) direct the applicant to submit samples of the commodity at his own expense to a designated laboratory or test house.

(2) No application shall be treated as complete unless matters that are requested or required to be submitted to the Bureau are so submitted.

(3) In addition to the particulars referred to in sub-regulation (1) above, the Bureau shall, where the applicant is a manufacturer, cause the manufacturers' systems of quality control to be evaluated by a competent body or person to ensure that the manufacturing process is controlled and the commodities produced therefrom consistently meet the requirements of the relevant standard.

(4) In the case of an application for a quality assurance mark, the applicant shall satisfy the Bureau that an appropriate quality assurance system is in operation at the applicant's premises.

(5) In the determination of an application, the Bureau may, with the approval of the Minister, afford an applicant or a person authorized by him a reasonable opportunity to make oral presentations to the Bureau in support of his application.

(6) The decision of the Bureau in respect of every application made under Regulation 13 above shall be communicated to the applicant in writing, and where an application is refused, the grounds for the refusal shall also be stated in the communication.

Refusal of application.

15. An application for use of the standard mark may be refused on any of the following grounds:-

- (a) that the evidence submitted revealed that the article or process in respect of which the licence is sought does not conform to the appropriate standard;
- (b) that the application was incomplete for the reason stated in Regulation 14(2) above;
- (c) that the evaluation of the manufacturing process revealed a system of quality control or quality assurance that is inadequate to ensure continuous compliance with the appropriate standard; or
- (d) that the information provided by the manufacturer was invalid and not satisfactory to the Bureau.

Form and duration of licence. Schedule. Form IX.

16. (1) A licence to use the standard mark,-

- (a) shall be in Form IX as set out in the Schedule;
- (b) shall be valid for a period of one year but may be renewed for a further like period if the licensee makes application therefor and pays the appropriate application fee at least one month before the expiration thereof;
- (c) shall take effect on payment of the annual fee specified in Regulation 13 (2) (d); and
- (d) shall be subject to such terms and conditions as the Bureau determines.

(2) The application for the renewal of a licence shall be Form X set out in the Schedule hereto and shall be accompanied by the fee specified in sub-regulation (1) (b) above.

Schedule.
Form X.

(3) The Bureau may decide to vary the terms and conditions attached to a licence and for this purpose the Bureau shall give one month's notice to the licensee and invite his comments.

17. The grounds upon which a licence may be suspended or cancelled are:-

Suspension or
cancellation of
licence.

- (a) that the article marked with the standard mark do not conform to the relevant standard;
- (b) that the licensee has used the standard mark in respect of a process that does not conform to the relevant standard;
- (c) that the licensee has failed to facilitate an Inspector in the performance of his duties under the Act;
- (d) that the licensee has failed to comply with the terms or conditions of the licence;
- (e) that the licensee-
 - (i) has been declared bankrupt or insolvent, compounds with his creditors or benefits under the law for the relief of a bankrupt or makes any assignment in whole or in part of his income for the benefit of such creditors;
 - (ii) has, if the licensee is a company, been liquidated or is being liquidated, whether compulsorily or

voluntarily (otherwise than for the purpose of reconstruction) or is under receivership;

- (f) that the licensee has merged with another company or has changed its name in respect of which the licence was issued;
- (g) that the product in respect of which the standard mark is used has been verified to have failed to conform to the appropriate standard;
- (h) that the licensee has failed to comply with a request from the Bureau to recall a lot or batch of a product that has been verified to have failed to comply with the appropriate standard;
- (i) that the licensee has ceased production, or has in writing, requested the Bureau to delete the product from the certified list of products; or
- (j) that the licensee has in any way contravened these Regulations.

(2) Before the Bureau suspends or cancels a licence, it shall cause the licensee to be given 14 days notice of its intention to suspend or cancel his licence and the grounds upon which the proposed action is based.

(3) On receipt of a notice under sub-regulation (2) above, the licensee may, within seven (7) days thereof, make written submissions to the Bureau and the Bureau may grant the licensee a hearing within 14 days of the receipt of such submissions.

(4) A decision of the Bureau to suspend or cancel a licence and the grounds upon which it is based shall be communicated in writing to the

licensee.

(5) The Bureau shall cause the suspension or cancellation of a licence and the particulars of that licence to be published in the *Gazette*.

18. (1) When a licence is suspended or cancelled in accordance with these Regulations, the licensee shall immediately discontinue the use of the standard mark, and where a condition thereof is varied the licensee may only use the standard mark in accordance with the valid conditions of the licence.

Effects of suspension or cancellation of licence.

(2) Where a licensee has in his possession or control any articles that are marked in a manner that is inconsistent with a suspension or cancellation of a licence or with the variation of a term of that licence, the licensee shall take all reasonable steps to ensure that the standard mark on those articles is removed, cancelled, defaced or erased and shall substitute therefor the new terms of the licence in the case of a variation of the licence's conditions.

19. (1) A licensee shall establish and maintain to the satisfaction of the Bureau a system of control by means of testing and inspection that is designed to ensure that the quality of production or process is consistent with the terms and conditions of his licence.

Licensee's arrangements for inspection and testing.

(2) A licence shall maintain a permanent record of all tests and inspections and other data as may be specified in the licence as evidence of his satisfactory compliance with the system of control referred to in sub-regulation (1) above.

(3) A record maintained for the purpose of sub-regulation (2) above, shall be made available on demand to an Inspector representing the Bureau.

20. (1) A licensee shall recall a product where it has been verified that the product does not conform to the relevant standard to the extent that:-

Recall of product.

(a) its use could create a health hazard or a safety

hazard to consumers or the environment; or

- (b) its performance in its present state is significantly impaired.

(2) Products recalled by the licensee may be reprocessed, reworked or repaired and returned to the market bearing the standard mark where the licensee, in writing, satisfies the Bureau that the product conforms to the appropriate standard.

(3) The licensee shall be responsible for the programme of recalling defective products, and he shall provide the Bureau with the following information respecting products recalled by him:-

- (a) the total number of products that do not conform to the appropriate standard;
- (b) his estimate of the time required to complete the recall;
- (c) the total number of products recovered by the call programme;
- (d) the disposition of the products, that is to say whether the products were reprocessed, reworked, repaired, re-exported, destroyed or otherwise disposed of, and
- (e) the reason for failure of the products to initially conform to the appropriate standard and any action taken to prevent a reoccurrence of such failure.

21. (1) A licensee desirous of having a recalled product reinstated shall provide the Bureau with the following:-
- Reinstatement of the recalled product.
- (a) the reasons for the recall of the product; and
 - (b) the corrective measures implemented by him to ensure that the product conforms to the appropriate standard.
- (2) Reinstatement of a product may be refused for any reason specified in Regulation 20, or where:-
- (a) the product has failed on more than one occasion to comply with the appropriate standard; or
 - (b) the Bureau is not satisfied that the licensee has remedied the defects giving rise to the initial recall of the product.
22. In carrying out a technical audit of any activity or operation relating to a particular product or process with which the standard mark is associated, an Inspector of the Bureau may examine:-
- Technical audit.
- (a) raw materials;
 - (b) the process and the manner of control;
 - (c) the intermediate products, if any;
 - (d) the scheme of inspection and testing;
 - (e) testing equipment or facilities;
 - (f) equipment, maintenance and calibration;

- (g) records relating to products sold or exported;
- (h) records of testing results; and
- (i) records of raw materials purchased.
- Register of
licences. 23. (1) The Bureau shall cause to be maintained a register of all
licences.
- (2) The register of licences shall contain all material information
respecting-
- (a) all licences and licensees; and
- (b) all renewals, suspensions, variations and
cancellations of licences.
- Register of
Consultants. 24. The Bureau shall cause to be maintained a register of Consultants and
Quality Assurance Assessors accredited or recognized by the Bureau.
- Register of
Laboratories. 25. The Bureau shall cause to be maintained a separate register of each
testing laboratory that is recognized by it for testing samples of articles processed
in relation to a particular standard.
- Certification
Agreement. 26. (1) A licensee may enter into a written agreement with the Bureau
under which the Bureau will provide certification services in accordance with
the terms and conditions of that agreement and any endorsement attached
thereto, and the licensee shall comply with the terms and conditions of that
agreement, and any endorsements thereon, and with these Regulations.
- (2) The agreement referred to in sub-regulation (1) above may
be in respect of the use of a plant certification mark or the quality assurance
mark or a conformity certification mark, or any other mark.

(3) A licensee who has entered into an agreement referred to in sub-regulation (1) above shall:-

- (a) pay to the Bureau an annual fee which shall be agreed between the licensee and the Bureau;
- (b) submit to the Bureau for its approval the form in which he proposes to use the standard mark;
- (c) comply in all respects with the scheme of supervision approved by the Bureau in respect of the commodity, process or practice in connection with which he is a licensee;
- (d) upon the request of any Inspector, permit that Inspector to enter the premises under the control of the licensee in which, at the time of request, any commodity or any component thereof is being manufactured, tested, processed, or stored or any process or practice is being carried out and to inspect that commodity and any materials, processes, practices and records on those premises.

27. (1) A licensee shall only use the standard mark:-

- (a) in such manner and subject to such conditions as may be specified in his licence, and
- (b) in connection with the commodity, processor practice specified in his licence.

Restriction on
use of
standard mark.

(2) A licensee shall not, without prior written permission from the Bureau, advertise that he is licensed to use the standard mark in connection

with any commodity, process or practice and then omit to use the standard mark in connection with that commodity, process or practice while he is so licenced.

- (3) If the Bureau informs a licensee in writing that:
- (a) the Bureau objects to the manner in which the licensee is using the standard mark;
 - (b) the Bureau is of the opinion that some statement made by the licensee with reference to his authority to use the standard mark or with reference to other matters relating to the standard mark tends to mislead the public; the licensee shall forthwith discontinue using the standard mark or discontinue making the statement specified by the Bureau.

(4) A licensee who intends to discontinue using the standard mark while his licence is still valid shall give to the Bureau notice in writing of his intention to do so not less than 14 days before he discontinues the use of the standard mark.

(5) A licensee shall, upon the suspension or cancellation of his licence:-

- (a) discontinue the use of the standard mark and all advertising matter which contains the standard mark or any reference thereto;
- (b) obliterate the standard mark from any article which is in his possession if the Bureau so requires.

28. The Belize standard mark, the Caricom standard mark and the conformity certification mark, shall: - Use of mark on products.

- (a) where applicable, be included in labels or marked on products that are mentioned in the agreement referred to in Regulation 26, or
- (b) be included in the list of products maintained by the Bureau, to be known as the “Certified List of Products” in accordance with any labelling or marking requirements.

29. (1) An application for the issue of a licence shall be accompanied by a fee of BZ\$100.00 and an application for the renewal of a licence shall be accompanied by a fee of BZ\$50.00. Fees.

(2) A fee submitted under sub-regulation (1) above shall be non-refundable.

(3) The Bureau may, in respect of inspection, tests and other work done in establishing whether the plant or product is suitable for certification require the applicant to pay a fee which is referred to as “an assessment fee” in these Regulations.

(4) An applicant who is granted a licence shall pay an annual licence fee of BZ\$100.00 and a further fee referred to hereinafter as a marking fee proportionate to the quantum of annual production of the commodity or process in respect of which the licence is granted.

(5) The Bureau may, with the approval of the Minister, determine the marking fee, for each applicant and the fee so determined shall be published in the *Gazette*.

Payment of fees. 30. (1) The annual licence fee shall in the first year, be paid at the time of the grant of the licence and thereafter within one month of the expiry of the licence if application is made to renew the licence.

(2) The marking fee and where applicable, the assessment fee shall be paid in a manner to be specified by the Minister by notice in the *Gazette*.

Designation and revocation of testing equipment. 31. (1) The Bureau may designate or revoke testing equipment used for testing products, processes and practices according to approved and recognized specifications.

(2) In the designation of such equipment, the Bureau will be guided by the following:

- (a) the suitability of the equipment for the test to be performed;
- (b) actions taken to ensure that the equipment is well maintained and in calibration,
- (c) the record of performance of the testing equipment;
- (d) the methods used to test the product, process or practice;
- (e) the suitability of staff to use the equipment.

(3) Application for the designation of testing equipment shall be made to the Director of the Bureau on the form to be prescribed by the Bureau for that purpose.

(4) A certificate of designation of test equipment by the Bureau

shall be in Form XI set out in the Schedule hereto, if the Bureau is satisfied that the equipment complies with the requirements of sub-regulation (2) above.

Schedule.
Form XI.

- (5) Testing equipment shall be revoked by the Bureau if:
- (a) the testing equipment is no longer suitable to perform tests;
 - (b) the equipment has not been maintained in good working order,
 - (c) the equipment has not been kept in calibration;
 - (d) the equipment is obsolete and cannot perform to the accuracy required.

32. These Regulations shall come into force on the 1st day of October, 1997.

Commencement.

MADE by the Minister of Trade and Industry this 18th day of September, 1997.

(ALFREDOMARTINEZ)
Minister of Trade & Industry

SCHEDULE

FORM I
[Regulation 3(2)(a)]

STANDARDS ACT
DETENTION TAG

HELD

**HELD UNDER THE AUTHORITY OF THE STANDARDS ACT
AND THE REGULATIONS MADE THEREUNDER**

DATE

ESTABLISHMENT

.....
.....
.....

INSPECTOR

SCHEDULE

FORM II
[Regulation 3(3)]

STANDARDS ACT NOTICE OF DETENTION

PLACE DATE
TO ADDRESS
.....
.....

TAKE NOTICE THAT: The cases of
markedbrand and said to have originated at
under HELD TAG NO.
The reasons for the detention are as follows

Remarks
.....
.....

You are hereby forbidden to move or cause or allow the same to be moved
until you have written authority from an inspector appointed under the Standards
Act.

.....
Acknowledged

.....
Inspector

SCHEDULE

FORM III
[Regulation 3(4)]

STANDARDS ACT
NOTICE OF RELEASE

PLACE DATE
TO ADDRESS
.....
.....

TAKE NOTICE THAT: With reference to the
.....
.....

which were placed under detention on by

Mr./Ms. an inspector appointed under the Standards Act, have
been satisfactorily dealt with and released. The details of the commodities are
as follows
.....
.....

Held Tag No.

Inspector

SCHEDULE

FORM IV
[Regulation 4 (6)]

STANDARDS ACT
CERTIFICATE OF ANALYSIS/TEST

Name of Designated Laboratory or Test House

Ibeing a person duly authorized as an officer of the above laboratory/test house designated under the Standards Regulations do hereby certify as follows:

- 1. That on the day of 2____ I received froma sealed package, which said package was unopened and the seals thereon unbroken.
2. That I broke the seals and opened the said package and removed there from a sample, submitted as a sample of taken from of
3. That I duly analysed and examined the said sample for the purpose of determining if the same conformed to the requirements of the Standards Act and the Regulations made thereunder, and I obtained the following results

Certified this day of 2 ____ .

..... Designation Analyst/Test

SCHEDULE

FORM V
[Regulation 7(2)]

STANDARDS ACT
NOTICE OF INTENTION TO EXPORT
A DESIGNATED COMMODITY

TO: THE BELIZE BUREAU OF STANDARDS

FROM:

TAKE NOTICE THAT: It is our intention to export a designated commodity and we are hereby requesting an inspection of the consignment, particulars of which are given below for the issuance of a "Certificate of Export Worthiness" as required under the Standards Regulations for export of the commodity.

I am/We are enclosing a cheque/draft No. dated for BZS on towards the inspection fee for this consignment.

- (1) Name and address of exporter
 - (2) Name and address of the manufacturer
 - (3) Buyers Order No./Export Contract No.
 - (4) Description of the Consignment
- (a) Name of Commodity;
 - (b) Brand Name, if any;
 - (c) Grade, Size, etc;
 - (d) Quantity;
 - (e) Number of packages;
 - (f) Value/F.O.B./C.I.F;
 - (g) Shipping Marks;

- (5) Exact address where the goods are placed for inspection:
- (6) Technical requirements including specification stipulated in the export contract:
- (7) Details of Shipment:
 - (a) Probable date of loading into the ship/plan:
 - (b) Name of ship/carrier:
 - (c) Date of departure
 - (d) Port of shipment
- (8) Details of seals, if any
- (9) Any other relevant information

It is hereby certified that the consignment mentioned above has been manufactured/processed to satisfy the conditions relating to the Quality Control/ Inspection applicable to it under the Standards Act and the Regulations made thereunder.

Date: Signature:

Designation:

Seal of the Exporter:

SCHEDULE
[Regulation 7(6)]

FORM VI

STANDARDS ACT
CERTIFICATE OF EXPORT WORTHINESS

No.:

1. Name and address of the exporter:
2. Name and address of the manufacturer:
3. Buyer's Order No./Export Contract No.:
4. Description of consignment:
 - (a) Name of commodity:
 - (b) Brand name, if any:
 - (c) Grade, size, etc.:
 - (d) Quantity as declared by the exporter:
 - (e) No. of packages:
 - (f) Value:
 - (g) Shipping marks:
5. Details of manufacturer's seal, if any:

- 6. Details of seal of the Belize Bureau of Standards:
- 7. Carrier and destination:
- 8. Remarks, if any:

It is hereby declared that the consignment as per details given above has been inspected as required under the Standards Act and the Regulations made thereunder. It satisfies the conditions relating to Quality Control and Inspection as applicable to it and is certified export worthy.

.....
Inspector

.....
Date

SCHEDULE

FORM VII
[Regulation 7(7)]

STANDARDS ACT
NOTICE REGARDING REFUSAL TO ISSUE CERTIFICATE
OF INSPECTION FOR EXPORT OF DESIGNATED
COMMODITY

No.:

To:
Messrs.

From: Belize Bureau of Standards
Subject: Pre-shipment inspection of:

Ref: Your notice No. Date:

TAKE NOTICE THAT. On inspection of the above consignment of
.....it has been found that the consignment does
not conform to the compulsory standard established/recognized under the
Standards Act, and the Regulations made thereunder, for the following reasons:

.....
.....

As such it is regretted that the certificate of inspection for export cannot be
issued in respect of the above mentioned consignment.

Date:

Place:

Inspector:

**SCHEDULE
FORM VIII**
[Regulation 13 (2) (a)]

APPLICATION FOR LICENCE TO USE A STANDARD MARK

To: The Director, Belize Bureau of Standards

1. *I/We carrying on business at(full business address)
under the style of (full name of individual or firm)
hereby apply for a licence under the Standards Act to use the
Standard Mark in respect of Articles/Class of Articles/Process which
conform to the Belizean/Caricom Standard(s) listed below:

(a) **Article
Type
Size
Grade
Brand Name

(b) **Class of Articles
Type
Size
Grade
Brand Name

(c) **Process
Type
Grade
Brand Name

(d) Related Belizean/Caricom Standard(s)
No.: Year Title
No.: Year Title
No.: Year Title

2. The above article/process is manufactured/carried out by

 on premises situated at

3. Production figures for the said article/process and the value thereof to
 the best of my/our knowledge and the estimates are as follows:

Year	Production	Unit	Value \$
Last year from			
Current year from			
To			
.....(estimates).			

4. In order to ensure conformity of the said article/process to
 Standard
 No.:

* Strike out one not applicable

** Only one of the three items under *(a)*, *(b)* and *(c)* may be
 covered by one application, strike out the other two.

* I/We have in use/propose to use, the scheme of inspection
 and testing described in the statement attached hereto.
 Routine records of all the inspections and tests are being/will
 be kept in the manner specified in the statement.

* I/We further undertake to modify, amend or alter * my/our
 scheme of inspection and testing to bring it into conformity
 with that which may be specified by the Belize Bureau of
 Standards from time to time.

- * I/We have at present no schemes of inspection and testing in operation.
- * I/We however undertake to put into operation any such schemes as recommended by the Belize Bureau of Standards.

5. Should any initial enquiry be made by the Belize Bureau of Standards, I/We agree to extend to the Bureau all reasonable facilities at *my/our command and *I/we also agree to pay all expenses of any such enquiry including charges for testing, as and when required by the Bureau.
6. Should the licence be granted and as long as it remains operative, *I/we hereby undertake to abide by all terms and conditions of the licence and the Standards Regulations in the event of a licence being suspended or cancelled, *I/we also undertake to cease with immediate effect to use and to withdraw all relevant advertising matters and to take such other steps as may be necessary to comply with provisions of the above-mentioned Regulations.

Dated this day ofone thousand nine hundred and

Signature

Name

Designation

For and on behalf of (Name of firm).

*Strike out one not applicable

SCHEDULE

FORM IX

[Regulation 16 (1)(a)]

STANDARDS ACT

LICENCE FOR THE USE OF A STANDARD MARK

Licence No.:

1. The Belize Bureau of Standards, by virtue of power conferred on it by the Standards Act, hereby grants to

 (hereinafter called the "Licensee") this licence to use the Standard Mark set out in the First column of Schedule A hereto, upon or in respect of the article(s) set out in the second column of the said schedule which is/are manufactured in accordance with/conforms to the relevant Belizean Standard(s)/Caricom Standard referred to in the third column of the said schedule.
2. This licence carries the rights and obligations stipulated in the Standards Regulation. In pursuance of those said obligations the licensee has paid the marking fee specified in the schedules hereto and shall maintain to the satisfaction of the Belize Bureau of Standards the scheme of inspection and testing a copy of which is hereto attached.
3. This licence shall be valid fromand may be renewed as specified in the Regulations.
 Signed sealed and dated this day of 2_____.

.....
Director, Belize Bureau of Standards

[Regulation 16 (1)(a)]

SCHEDULE A

Standard Mark (1)	Article/Process (2)	Belize Standard/Other Standard(3)

SCHEDULE B

Article/Process (1)	Unit (2)	Marking Fee Per Unit (3)	Manner of Payment (4)

Attachment

To: Licence No.:
Scheme of Testing and Inspection

SCHEDULE

FORM X
[Regulation 16 (2)]

STANDARDS ACT
APPLICATION FOR RENEWAL OF LICENCE TO USE
THE STANDARD MARK

- To: Director, Belize Bureau of Standards of
1. *I/We carrying on business at
(Full Factory and Office Address) under the Business Name of
.....or firm apply(ies)for renewal of licence No.
datedby the Belize Bureau of Standards under the Standards
Act Regulations for a period of year(s), the terms and conditions being
the same as stipulated in *my/our previous application and the aforesaid
licence, and/or such other conditions which the Bureau may specify.
 2. *I/We furnish a report overleaf of*my/our performance and the
production of goods bearing the Standard Mark for your consideration
with this application.
 3. The licence, complete with attachments, is sent herewith for necessary
action.
 4. The renewal application fee of \$ () along with the licence fee of
\$ () area also enclosed herewith vide cheque No.

Dated this day of

Signature

Name

Seal of Firm for and on behalf of

*Strike out one not applicable.

SCHEDULE

FORM X
[Regulation 16 (2)]

STANDARDS ACT
APPLICATION FOR RENEWAL OF LICENCE TO USE
THE STANDARD MARK

REPORT OF PERFORMANCE**

(From) up to the date of submission of this application
(Attachment to the Application of Renewal)

1. Name of the Article(s)
2. Total production of article(s) licensed for
Marking
3. Total production of articles conforming to Belizean/Caricom Standard:
.....
4. Quantity covered with Standard Mark and its approximate value:
(a) Quantity
- (b) Value \$
5. Quantity of article(s) carrying Standard Mark exported and its value
(a) Quantity
- (b) Value \$
6. Name and address of importer of article(s) carrying Standard Mark
.....

- 7. Name and address of local purchaser of article(s) carrying Standard Mark
- 8. Quantity not covered with Standard Mark, if any, and reasons for not applying the Mark
- 9. Brand/Trade Name(s) of article(s) carrying Standard Mark
- 10. Total amount of marking fee due and paid during the year
- 11. Brief information regarding difficulties, if any, experienced in operating the licence

Note: In case the areas of fees are not cleared before the renewal date, the renewal of the licence will not be considered.

**This part for official use only.

FIRST SCHEDULE

FORM XI
[Regulation 31(4)]

STANDARDS ACT
CERTIFICATION OF DESIGNATION OF TESTING EQUIPMENT

FROM: The Director
Belize Bureau of Standards

TO:

This is to certify that the equipment, the subject of your application for designation ofhas been designated as suitable for use in testing products/process covered by the following specifications

Signed
Director, Belize Bureau of Standards

Date

Seal